

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

BETH ANNE GOODSPEED, KEVIN  
GOODSPEED

Plaintiff,

Civil Action: 1:13-CV-199 (FJS/RFT)

vs.

PHOENIX INSURANCE COMPANY, *individually  
and as a member of the St. Paul Travelers  
Group*

Defendant.

APPEARANCES:  
FOR PLAINTIFF

OF COUNSEL:

Conway, Kirby Law Firm  
9 Cornell Road  
Latham, New York 12110

Andrew W. Kirby, Esq.

FOR DEFENDANT:

Kenny, Shelton Law Firm  
233 Franklin Street  
Buffalo, New York 14202

Judith Treger Shelton, Esq.  
Lisa A. Bauer, Esq.

FREDERICK J. SCULLIN, JR.  
SENIOR U.S. DISTRICT JUDGE

**JUDGMENT DISMISSING ACTION  
BY REASON OF SETTLEMENT**

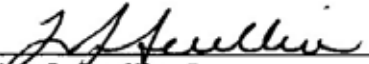
The parties have entered into an agreement in settlement of all claims in this action, and that they reasonably anticipate finalizing their agreement within 30 days, following which this action will be discontinued by stipulation pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure. Based upon this development, it is no longer necessary for this action to remain on the court's active docket.

It is therefore hereby

**ORDERED that**

- 1) This action is dismissed, with prejudice, except as set forth below.
- 2) The court will retain complete jurisdiction to vacate this order and to reopen the action within two months from the date of this order upon good cause shown that the settlement has not been completed and further litigation is necessary.
- 3) The Clerk shall forthwith serve copies of this judgment upon the parties and/or their attorneys appearing in this action by electronic means.

Dated: October 21, 2013  
Syracuse, New York

  
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Frederick J. Scullin, Jr.  
Senior United States District Court Judge